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Message Text

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44
ACTION EB-06

INFO OCT-01 EUR-08 ISO-00 JUSE-00 FTC-01 AID-05 CEA-01

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TO SECSTATE WASHDC 4885
INFO USMISSION OECD PARIS

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STATE FOR BUSHNELL; JUSTICE FOR A.A.G. KAUPER; FTC FOR CHAIRMAN ENGMAN

E.O. 11652: N/A
TAGS: EGEN, OECD
SUBJ: OECD: RBP COMMITTEE, WORKING PARTY MEETING

1. OECD COMMITTEE OF EXPERTS ON RESTRICTIVE BUSINESS PRACTICES, WP7, INDUSTRIAL AND COMMERCIAL PROPERTY, MET OCTOBER 15. GROUP DECIDED TO CONFINE ITS WORK TO TRADEMARK-ANTITRUST ISSUES FOR TIME BEING UNLESS INSTRUCTED OTHERWISE. MEMBERS, AND MEMBERS OF FULL COMMITTEE, ASKED TO SUGGEST SPECIFIC TOPICS FOR STUDY WITHIN THAT AREA BY MID-FEBRUARY 1975. GENERAL FEELING WAS THAT PARALLEL IMPORT QUESTION SHOULD BE A MAJOR ITEM OF STUDY. IT WAS DECIDED NOT TO ENGAGE IN QUESTIONNAIRE FOR AT LEAST ONE YEAR, BECAUSE OF BURDEN OF PRESENT QUESTIONNAIRES FROM WP 10 ON REGULATED INDUSTRIES AND WP 11 ON MNC'S. WP 7 SCHEDULED TO MEET AGAIN MARCH 7, 1975.

2. WP 12 RE COLLUSIVE BIDDING MET OCTOBER 16 TO CONSIDER PART 1 OF PROPOSED REPORT. MOST U.S.
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EDITORIAL CHANGES WERE ACCEPTED. A NUMBER OF

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COUNTRIES, INCLUDING THE U.S., WERE ASKED TO SUPPLY FURTHER INFORMATION REGARDING ECONOMIC COSTS OF COLLUSIVE BIDDING. MAJOR AREA OF DEBATE WAS WHETHER COLLUSIVE BIDDING SHOULD BE DEALT WITH BY CRIMINAL SANCTIONS OR ONLY BY CIVIL SANCTIONS. CHAIRMAN LOWBEER OF SWEDEN WILL ATTEMPT TO FINISH PART II OF DRAFT REPORT IN TIME FOR CONSIDERATION AT NEXT SCHEDULED MEETING OF WP 12, MARCH 14, 1974.

3. AN IMPROMTU MEETING OF WP 11 RE MNC'S WAS HELD AT 5 P.M. OCTOBER 16 TO CONSIDER LAST MINUTE AMENDMENTS TO THE QUESTIONNAIRE PROPOSED BY AUSTRALIA, NETHERLANDS AND JAPAN, AND TO HEAR A REPORT BY SECRETARIAT RE UN DEVELOPMENTS AND OECD EXECUTIVE COMMITTEE REACTIONS TO THEM. VIRTUALLY ALL PROPOSED AMENDMENTS TO QUESTIONNAIRE WERE ACCEPTED, INCLUDING AUSTRALIAN SUGGESTION THAT NO MNC PRACTICES MORE THAN 15 YEARS OLD SHOULD BE REPORTED. CHAIRMAN AND SECRETARIAT SUGGESTED THAT QUESTIONNAIRE SHOULD BE ANSWERED BY DECEMBER 31, 1974, WITH REPORT TO BE DRAFTED IN TIME FOR TWO DAY MEETING, MARCH 5-6, 1975, IN ORDER TO PRESENT MNC REPORT TO FULL COMMITTEE AT JUNE MEETING 1975. IT WAS SUGGESTED THAT WP 11 HAVE A BRIEF MEETING IN CONJUNCTION WITH DECEMBER MEETING OF FULL COMMITTEE, IN ORDER TO DISCUSS MNC DEVELOPMENTS AND OECD REACTIONS TO THEM.

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